

SECOND REGULAR SESSION

# HOUSE BILL NO. 1894

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BLACK, MYERS, MOORE, KING, JETTON, MERIDETH, BARNITZ, QUINN (Co-sponsors), BALLARD, ENZ, LUETKEMEYER, ROARK, RIDGEWAY, OSTMANN, BURTON, FARES, KELLEY (47), COOPER, TOWNLEY, HENDERSON, MARBLE, BEARDEN, HUNTER, NAEGER, DEMPSEY, LEGAN AND SECREST.

Read 1<sup>st</sup> time February 12, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4602L.01I

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### AN ACT

To repeal section 226.030, RSMo, and to enact in lieu thereof one new section relating to the powers and duties of the state transportation commission.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 226.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 226.030, to read as follows:

226.030. [The state highways and transportation commission shall consist of six members, who shall be appointed by the governor, by and with the advice and consent of the senate, not more than three thereof to be members of the same political party. Each commissioner shall be a taxpayer and resident of state for at least five years prior to his appointment. Any commissioner may be removed by the governor if fully satisfied of his inefficiency, neglect of duty, or misconduct in office. All commissioners appointed prior to October 13, 1965, shall serve the term for which they were appointed. Commissioners appointed pursuant to this section shall be appointed for terms of six years. Upon the expiration of each of the foregoing terms of these commissioners a successor shall be appointed for a term of six years or until his successor is appointed and qualified which term of six years shall thereafter be the length of term of each member of the commission unless removed as above provided. The members of the commission shall receive as compensation for their services twenty-five dollars per day for the time spent in the performance of their official duties, and also their necessary traveling and other expenses incurred while actually engaged in the discharge of their official

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

15 duties.]

16       **1. A transportation commission appointed by the governor, by and with the advice**  
17 **and consent of the senate, shall consist of six members appointed to six-year terms, except**  
18 **that the present members of the transportation commission shall serve for the remainder**  
19 **of their terms as follows: members whose terms otherwise expire December 1, 2003, shall**  
20 **serve with terms expiring July 1, 2004; a member whose term otherwise expires**  
21 **December 1, 2005, shall serve with a term expiring July 1, 2006; a member whose term**  
22 **otherwise expires December 1, 2007, shall serve with a term expiring July 1, 2008; and of**  
23 **the members whose terms otherwise expire December 13, 2007, one member shall serve**  
24 **with a term expiring July 1, 2006, and the other member shall serve with a term expiring**  
25 **July 1, 2008, as determined by the governor. The house and senate leadership, which shall**  
26 **mean the speaker of the house of representatives, the president pro tempore of the senate,**  
27 **and the minority floor leaders of the house and of the senate, from the same political party**  
28 **shall by party supply three candidates to the governor for selection as members of the**  
29 **commission. The governor shall select one candidate from each party. The candidates**  
30 **shall be appointed by July first in even-numbered years. In the event of a vacancy on the**  
31 **commission, the house and senate leadership of that political party of the vacating member**  
32 **shall submit three candidates for selection as a member to the commission to the governor**  
33 **within thirty days of the vacancy. The governor shall have fifteen days to select a new**  
34 **member of the commission. The new member of the commission shall serve only the**  
35 **remainder of the unexpired six-year term of the vacating member.**

36       **2. No more than one-half of the members of the transportation commission shall**  
37 **be of the same political party. The selection and removal of all employees of the department**  
38 **of transportation shall be without regard to political affiliation.**

39       **3. The present members of the transportation commission shall serve as members**  
40 **of the transportation commission for the remainder of the terms for which they were**  
41 **appointed, except as provided in subsection 2 of this section.**

42       **4. All references to the highway commission or the highways and transportation**  
43 **commission and the department of highways in the statutes shall mean the transportation**  
44 **commission and the department of transportation.**